

RESTRICTED



NEW ZEALAND
POLICE
Ngā Pirihimana o Aotearoa

Operational Policing Guidelines – Alert Level 4, Scenarios for the Frontline

Police position

1. There is no curfew in place, people will still be capable of movement as long as that movement does not have the potential to further spread the virus.
2. There is no power to stop vehicles to undertake a check that the occupants are complying with the health notice for COVID-19

At all times we need to take a graduated response to any situation we encounter and apply common sense and understand the intent of what we are asking everyone in our communities to achieve.

1. **Engage** with the parties and **communicate** with them to identify whether their current behaviour or activities are contrary to the government's response to COVID-19
2. **Educate** them on the current requirements (if necessary) to correct their behaviour or activities
3. **Encourage** compliance measures if required
4. **Enforcement** – only resort to warnings or prosecutorial measures if **absolutely necessary**.

We want to support frontline staff to operate in a very different environment to which we traditionally police.

Every District is encountering situations where Police will need to respond, and make decisions about how to deal with situations as a result of the declaration of the state of emergency.

The following scenarios should assist all staff when dealing with people in these times but are by no means exhaustive. Should enforcement action be required, the Health Act should be considered in the first instance before relying on the CDEMA 2002.

Please remember that the existing legislation that Police operate under is still relevant and available to be used for normal policing issues.

Section 9(2)(h) Official Information Act 1982

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Scenario's

Situation	Response	Legal Powers
What do I do if I find a non-essential business is open	<p>Engage speak to the business owner and determine if the service is essential.</p> <p>Educate them if their business is not essential that it must be closed.</p> <p>Encourage them to close the business</p> <p>Enforce through a warning that they could be arrested if they do not comply. Consider arrest if they do not close the business.</p> <p>The attached link provides guidelines on the government website including a list of essential businesses.</p> <p>covid19.govt.nz - Essential Businesses</p>	<p>Police can close the business pursuant to s.71A Health 1956.</p> <p>Failing to comply under s.72 has a power of arrest with a penalty of 6 months, a fine not exceeding \$4,000.</p> <p><i>If you are unsure as to whether or not a business is deemed essential or believe that they are not complying with the notice then report this via a noting to moc@police.govt.nz</i></p>
What if I find a transport company transporting items for a service or business that is not considered essential?	<p>Engage a reasonable approach must be taken. It is accepted that some businesses may try to work on the edges of the law by transporting a combination of essential and non-essential goods.</p> <p>Educate tell the business owner/driver that they should only transport goods in support of businesses providing essential services. (For example food)</p> <p>Encourage compliance with the notice ordering all non-essential businesses closed. If they are clearly in breach by transporting only goods that are deemed non-essential then give a direction to cease operating.</p> <p>Enforce consider a warning and report the activity through the MOC moc@police.govt.nz and this will be forwarded to MBIE for action.</p> <p>Arrest is not desirable.</p>	<p>Whilst Police can enforce pursuant to s.71A, Health Act 1956 and failing to comply under s.72 has a power of arrest with a penalty of 6 months, and fine not exceeding \$4,000 it is advisable to report and seek direction.</p> <p><i>If you are unsure as to whether or not the activity is deemed essential or believe that they are not complying with the notice then report this via a noting to moc@police.govt.nz</i></p>
What if I stop a car with a group of workers travelling to work at a business deemed to be essential	<p>Engage A reasonable approach must be taken. Workers should supply identification or a letter from their employer.</p> <p>Educate advice should be provided that they identify means of travelling that create social distance. Remember that this may not be practicable for all essential employees.</p>	<p>There are no enforcement powers than can be exercised.</p>

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	As they are acting in their capacity working in an essential service they should be allowed to carry on to or from work.	
What if I stop a vehicle and subsequently form a suspicion that the purpose of the trip is outweighed by the potential spread of the disease?	<p>Engage and speak to the driver and occupants to establish the purpose of the trip.</p> <p>Educate that excessive travel increases the risk of the spread of the disease.</p> <p>Encourage them to minimise travel and return home.</p> <p>Enforce Consider warning them that if it is a lengthy journey without a reasonable purpose, then direct them to return to their point of origin and that if they do not comply they can be arrested.</p> <p>What constitutes a lengthy journey will depend upon circumstances</p>	<p>If the belief is held on reasonable grounds the travel will spread disease then enforcement action can be taken.</p> <p>Section 91(1), CDEMA 2002</p>
You are called to reports of a party/gathering of people within a private address.	<p>Engage speak with the occupier. (You still have a common law licence to enter onto a property and knock on the front door but must leave if asked)</p> <p>Educate that unnecessary contact with other people increases the risk of the spread of the disease.</p> <p>Encourage the people present to disperse and return to their homes.</p> <p>Enforce if they do not comply, consider contacting the NCCC and requesting assistance from a MOOH).</p> <p><i>(Call NCCC (04) 470 7242 / 44242 to request assistance from Medical officer of Health. MOOH)</i></p>	<p>Enter under common law licence</p> <p>Decide whether to seek MOOH s.70 order</p> <p>No immediate enforcement power available</p>
<p>While on routine patrol I speak with a runner who states they drove here to utilise the area.</p> <p>Or</p> <p>What if I find people running, cycling or surfing outside of their area?</p>	<p>Engage speak with the person and determine the nature of the activity</p> <p>Educate them that they must be careful to ensure they do not congregate with others whilst undertaking the activity.</p> <p>Encourage them to stay close to their home. If a congregation is formed (for example a group of people on a boat) where the persons do not usually reside together, direct them to disperse.</p> <p>Enforce only by warning or arrest as a last resort</p>	<p>People engaging in a leisure or fitness activity <u>within a reasonable distance of their home</u> whilst maintaining appropriate social distancing is reasonable in the circumstances.</p> <p>No offence and no enforcement power available</p>

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Scenario's

Scenario One - Public Place

Scenario:

You are tasked to attend a job where there is a group of people playing a game of touch rugby in the local park. When spoken to, they advise you that they are just practicing their skills and doing no harm. You establish that none of them are living together. When you tell them to separate and go back to their respective addresses, they refuse and challenge your authority, stating they have done nothing wrong.

Action:

Engage: Talk to the people first, explain they are not allowed to play touch under the Section 70 Health notice.

Educate: Explain to them that this is to prevent the spread of COVID 19.

Encourage: Let them know that they all need to stop playing touch and otherwise they are committing an offence.

Enforcement: If people fail to comply, then they can be warned that they could be arrested or fined up to \$4000.

Arrest would be a last resort.

Powers:

There is a prohibition to congregate in places of amusement or recreation (whether public or private) under the Section 70 Health notice that has been issued.

You can take action under Section 71A (1)(e) of the Health Act 1956. Under this Police have the power to direct, compel and enforce.

There is an offence under Section 72 Health Act (6 months / \$4000 fine)

Scenario Two - Public Place

Scenario:

You are called to a large gathering of people who have congregated in the local park for an outside yoga session. There are about 100 people present. You speak with the yoga teacher who informs you that he has instructed in detail that all present must remain 2 metres apart during the session. Viewing the crowd, it appears that they are complying with the direction.

Action:

If people are complying with the 2 metre distance they are allowed to be doing this.

Powers:

There are no powers

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Scenario Three - Private Business

Scenario:

You are notified that James Heath, the local mechanic is working in his garage office at his work site in the central city. When you arrive, he states that he is just catching up with paper work while his premises is closed. He says it a great opportunity to do the work when no customers are present. He is alone and no one else is with him. The business is closed. He is not providing a service to the public

Action:

None. He is not committing an offence. If anything have a conversation about how he is doing while his business is shut down and ask if he is okay.

Powers:

There are no powers

Scenario Four - Dwelling House

Scenario:

You attend a job where a group of teenagers are having a party at a local address in a suburban area. You speak with the occupier who advises you that they are a group of friends having a low key get together and hurting no one. All the occupants live together apart from one who refuses to leave when asked to. The parents' are not at home. All the occupants ask what are your power to exclude their friend.

Action:

You have no particular power under the existing Health Notice.

You would need to determine whether you believe that this situation is one where there is a substantial *public health risk* (for example if someone was displaying symptoms of COVID19, were known to have COVID19, or had recently returned from overseas).

If you did deem this situation to be a significant *public health risk*, you would need to determine why you think that, and then apply (through the NCCC) for a direction from the Ministry of Health under a Section 70 notice for isolation.

Powers:

This is not covered by the current health notice as this is a gathering in a private location and is not a 'place of amusement or recreation', it is a private dwelling.

If you discovered someone was infected and they were at the party you could take enforcement action under Section 91(1)(A) of the Civil Defence Emergency Management Act.

Don't forget that if this is a noisy party you can think about what action you can take in relation to Noise Control (Section 327 of the Resource Management Act 1991) this is dependent on arrangements you have with your local council over this time as usually Police act on the request of a Noise Control Officer (who have been deemed non-essential).

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Scenario Six - Dwelling House

Scenario:

You attend a job where a mentally ill patient has absconded from hospital. The patient has been identified as being tested positive for COVID19. A member of the public informs you that a male matching the description of the patient, has run into a dwelling house after knocking frantically on the front door. You go to the address and are greeted by the occupier of the house. He is not the patient you are looking for. The occupier states that you have the wrong house and no one else is present inside.

Action:

Engage: You have a conversation with the occupier and you explain that under Section 87 of the Civil Defence Emergency Management Act 2002 you have a power to enter the premises to save life and prevent injury (which includes the spread of COVID 19) and that you believe a person with COVID 19 has entered the address.

You advise them that you will be entering the premises and that they could be committing an offence under the act if they fail to comply as it is essential that the person who entered the premise with COVID must be in isolation for the safety of themselves and other people.

You can give a direction under Section 91 1(a) of the CDEMA 2002 that the occupier needs to allow you to enter the premise.

Any person commits an offence under Section 102 of the Civil Defence Emergency Management Act 2002 who fails to comply.

Educate: You make best efforts for people to understand that you do have powers to enter and that it is important for the person who has COVID to be in isolation. You explain that you would prefer to have the occupier's co-operation.

Enforce: You enter the premise under the CDEMA Act. You search the property to locate the person with COVID and then you direct the person with COVID to come with you. It is an offence if they do not comply.

Powers:

Section 87 of the Civil Defence Emergency Management Act 2002

Section 91 1 (a) of the CDEMA 2002 (powers)

Section 102 CDEMA 2002 (offence)

Section 104 CDEMA 2002 Penalty 3 months or fine not exceeding \$5000.

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Scenario Seven - Dwelling House

Scenario:

You attend a job where it has been reported that a person at an address shows symptoms that suggest they may be infected with the COVID19 virus. After consulting with your DCC, you are tasked to investigate and take the appropriate action.

At the address you are greeted by an elderly lady who is caring for her sick sister aged 76 years. The sick sister, when spoken to is clearly very unwell and in your opinion, needs medical attention as she may be infected with the virus. You make arrangements for her to get to a hospital but she refuses to leave the address and states that she is happy to die alongside her sister. Her sister agrees with her. The pair are going nowhere.

Action:

Educate: You explain to the ladies that there is a risk to themselves and others that they will spread COVID 19. You explain that though you understand their situation that there is a serious risk that the healthy sister may also get sick, as would anyone else who visited them, or if they were to go out into the community (for groceries etc.) You advise them that their actions pose a serious risk to health and safety.

You explain that you have powers under Section 91 (1) (a) of the CDEMA 2002 to direct the person with COVID to go with Police to a medical facility.

Powers:

s91 (1)(a), CDEMA 2002.

Scenario Eight - Vehicle Stops

Scenario:

It is 0300 hrs and you spot a Toyota vehicle driving through the central city on the main road. It is one up. You stop the vehicle and speak with a middle aged woman. She states that she had an argument with her husband and just wanted some time alone in her car. She didn't wish to park up as she thought it was dangerous to do so. She argues strongly stating that her husband is not violent but very frustrating to live with. She is not going home until she is ready to do so.

Action:

There is no issue with this. We have a discussion about keeping safe and speak to the woman about whether she would like some information about services that could assist.

Powers:

There are no powers.

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Scenario Nine - Vehicle Stops

Scenario:

It is 21.30 hours. You stop a vehicle 2 up. A male driver (26 years) with a younger female passenger. You establish that the vehicle belongs to the male driver and the female (22 years) is his girlfriend. They do not live together. He states that they were just doing a bit of food shopping and now on their way home. He was going to drop her off first. Her house is 10 k's away (they live relatively close to each other).

Action:

You can have a chat about keeping themselves safe.

Powers:

Why have you stopped the vehicle? You have no powers relating to COVID in regards to this. There is no significant public risk as neither are displaying COVID symptoms.

Scenario Ten - Camper Vans

Scenario:

You stop a camper van / mobile home at 2030 hours driving through town. The occupants are a couple of tourists who have been in New Zealand since January. They are looking for a place to park up for the night. They are both healthy.

Action:

Engage and Educate:

You advise them where they can park up for the night.

You ask them what their plans are.

You explain that under the current Health Notice and the National Civil Defence Emergency that it is a risk to Public Safety to have people in camper vans travelling between (policing) Area's as it is necessary to prevent the spread of COVID 19 and that they pose a risk in regards to this.

You direct them under Section 91 1 (a) of the CDEMA 2002 to remain in this (policing) Area for the duration of the Civil Defence Emergency.

You obtain their details as you usually would under Land Transport Act

You advise them that they commit an offence under the CDEMA 2002 if they do not comply with this direction to stay in the (policing) Area. You also advise they could be arrested under the CDEMA 2002 and risk being held in quarantine and deported under the Immigration Act.

You would then place an alert on the vehicle and on the people, identifying the (policing) Area where they will be staying for the duration of the Civil Defence Emergency.

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Powers:

Section 91 1 (a) Civil Defence Emergency Management Act 2002 (Direction)

Section 102 Civil Defence and Emergency Management Act 2002 (Offence)

Section 104 Civil Defence and Emergency Management Act 2002 (Penalty)

Immigration Act is dealt with by Immigration officers when we notify them of the situation through the NCCC that an offence has been committed.

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Section 9(2)(h) Official Information Act 1982



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Advice for Frontline Police staff – Alert Level 4

These are unprecedented times and our focus remains on keeping our communities safe and preventing harm. The public will notice an increased Police presence and we will adapt and change how we Police in response to this situation.

Our focus will be on prevention through education and calm encouragement. We don't want to get to a place where have to enforce these restrictions that come with Alert level 4, but we will if required.

Police is asking that everyone commits to keeping themselves and their community safe by adhering to the restrictions imposed.

Right now we are encouraging everyone to get home, stay home and stay safe. For more information and advice visit www.covid19.govt.nz

If necessary to maintain law and order and keep our community safe, Police has a number of powers available to them under the Health Act 1956, the Summary Offences Act 1981 and under the Civil Defence Emergency Management Act 2002 to take action where appropriate.

Our officers will still have discretion in how they deal with matters and how they are enforced and all situations will be assessed on a case by case basis.

We acknowledge that the current environment is a stressful one for many in our community. We know that in times of high stress we can see an increase in callouts, and we would like to remind people to take stock, take a breath, and look after yourselves and each other.

If you need some extra support, Police would encourage people to take advantage of a number of resources available online and in the community - everything from family harm support, to budgeting, to mental health support.

Police response overview

The aim of Police in these circumstances is to **deal with all situations with compassion and be reasonable in our response**. There is no curfew in place, people will still be capable of movement.

The following **guidelines** should be followed when Police are responding to events, after the level 4 announcement:

1. **Engage** with the responsible parties
2. **Communicate** with them to identify whether their current behaviour or activities are contrary to COVID-19 recommendations
3. **Educate** them on current recommendations (if necessary) to correct their behaviour or activities
4. **Encourage** compliance measures
5. Take **enforcement** measures (**only if necessary**)

Members of the public who do not follow your direction may be liable for further enforcement action, following consultation with the medical office of health which is facilitated via the NCCC. This could include such situations as: non-compliant businesses, private addresses and public areas.

We want to empower our frontline staff to make decisions in the face of New Zealand's Level 4 announcement. Each District will encounter situations where Police will need to take action and respond promptly, please consider the situations below and how you could respond bearing in mind the guideline identified above.

The following are potential situations you may encounter, the location of event will dictate frontline staff ability to enforce the situation.

- People on essential business
- Non-compliant business owners
- Assembly of large groups in public areas
- Assembly of groups within a private residence
- Individuals in public
- People in vehicles

Powers under the two enactments will dictate our approach.

Nothing in the Health Act and the Civil Defence and Emergency Management Act negates the powers conferred under the enactments currently used by police.

The following course of action are required should you require the assistance of a Medical Officer of Health (MOOH):

1. Remain safe, however withdraw if necessary
2. Call NCCC **Section 9(2)(a) Official Information Act 1982**
3. Inform NCCC of your current situation
4. Wait for recommendation from NCCC for nature of response which could include medical officer of health directions e.g. Power to direct a person to isolate, failure to comply can be enforced by way of Power of Arrest under [Health Act 1956 \(section 71A\)](#), in certain circumstances.

Powers

Medical Officer of Health (MOOH) Notice (s 71A Health Act, 1956)

A Constable may do anything reasonably necessary (including the use of force) to help a MOOH or any person authorised by a MOOH:

- To help the MOOH in the exercise or performance of powers or functions under s 70
- To help a person to do a thing that the MOOH has caused or required to be done
- To prevent people from obstructing or hindering activity under the MOOH notice
- To prevent, or reduce the extent or effect of, the doing of the prohibited activity.

A Constable may direct a business premise to comply with MOOH notice, and take enforcement action if individuals responsible fail to comply.

The act provides authority for Police to act, using reasonable force if necessary to ensure compliance with requirements requested as above.

Section 9, Civil Defence Emergency Management Act (CDEMA), 2002

On the basis that a national civil defence state of emergency has been declared, any Constable may pursuant to s91:

- (a) Direct any person to stop any activity that may cause or substantially contribute to an emergency;

- (b) Request any person, either verbally or in writing, to take any action to prevent or limit the extent of the emergency.

Any person who fails to comply with a direction under s 91 is liable on conviction to imprisonment for a term not exceeding 3 months or to a fine not exceeding \$5,000.

In the instance where Police deem it necessary to utilise the CDEMA they will need to satisfy themselves that the need to limit harm is sufficient to satisfy subsection (a) and only to carry out the actions as detailed in subsection (b)

Commentary

It is desirable that every effort is made to utilise the powers conferred in the Health Act before relying on the CDEMA 2002.

Staff should consider their Health and Safety

This remains a fluid situation, for the latest information and advice on Health and Safety requirements please check our [Ten One intranet page](#).

Link to essential services:

<https://covid19.govt.nz/government-actions/covid-19-alert-level/essential-businesses/>

If you have any queries around essential services you can get in touch with MBIE team at 0508 377 388 or email essential@mbie.govt.nz.

Level 4 COVID 19 Breaches

A Covid-19 L4 breach form is now available to the public via 105 online reporting. To support this process National COVID-19 SIB Case Management systems and processes have been standardised to support NZPs graduated response - *Our staff should Engage, Educate, and Encourage New Zealanders to comply with 'lock-down' rules and only take Enforcement action if absolutely necessary.*

Due to the **high volume** of SIBs reported online, to 105 and CRL call-takers:

- **NIA Notings** will be used for educational contacts and
- **NIA Occurrences** used for the enforcement of repeat offenders that require further intervention and a clearance; i.e. a formal police warning, supported resolution and/or criminal proceedings.

Legal Services [Operational Policing Guidelines – Alert Level 4 Scenarios for the Frontline](#) should be referred to regarding the correct code to use for COVID-19 related offences, i.e.

- Health Act 1956 (code 3518) in the first instance, or
- Civil Defence Emergency Management Act 2002 (code 7935)

A [COVID-19 L4 breach \(SIB\) Process Map](#) has been developed to describe the end to end COVID-19 response and clarify roles and responsibilities.

Case Management

Frontline Recording of Self-Isolation Breaches (SIBs)

The agreed national process for:

- **Educational contacts:** enter a NIA noting and alert to inform staff this person has been spoken to regarding a COVID-19 breach.
- **Warnings, Supported Resolution and Prosecutions:** enter and clear the offence. An alert is not required as the warning will be visible in clearances. Clear any previous 'Person' NIA alert regarding breaches/education.
 - Refer to Legal Services [Operational Policing Guidelines – Alert Level 4 Scenarios for the Frontline](#)

Educational Contacts

1. **Enter a NIA Intelligence Noting using the following fields (copy and paste options):**
 - Category: Intelligence Noting
 - Type: COVID-19 SIB
 - Reporting channel: (Select appropriate channel drop-down options)
 - Reference: Education
 - Scene Station: (Select appropriate from drop-down options)
 - Reporting Station: (Select appropriate from drop-down options)
 - Subject: COVID-19 Self-Isolation Breach noting
 - Description: COVID-19 Self Isolation Breach contact and education

- **Noting Narrative Exemplar** (copy and paste option):

(Name) was spoken to by Police (insert QID) for a COVID-19 Self-Isolation Breach.

Details of Breach: (Describe circumstances and record names, locations and vehicles if applicable).

The breach was treated as an Educational contact. I.e. the person has been informed/reminded of COVID-19 'lock down' requirements. No further police action is required. A NIA alert has been entered in the event the person comes to Police attention again for similar breaches.

2. Create/Link the Person (and vehicle if applicable) to the noting

3. Create a NIA Person alert:

- Person Alert Category: Health – other
- Narrative Exemplar:

(Name) was spoken to by (QID) on (date) for a COVID-19 Self-Isolation Breach. Refer to noting for breach details. The breach was treated as an educational contact. COVID-19 'Lock Down' requirements were explained.

In the event of further Self-Isolation Breaches refer to the COVID-19 checkpoint for further action required.

Warnings, Supported Resolution and Prosecutions

1. Enter a NIA Occurrence using the following fields (copy and paste options):

- CARD event (link CARD event if there is one)
- Reporting channel: (Select appropriate channel drop-down options)
- Subject: COVID-19 Self-Isolation Breach offence
- Description: COVID-19 Self-Isolation Breach warning (substitute in supported resolution or prosecution).
- **Occurrence Narrative Exemplar** (warning copy and paste exemplar):

This person (or these people) was spoken to by Police (insert QID) for a COVID-19 Self-Isolation Breach.

Details of the breach: (Describe breach details including admissions from the offender)

They have been warned for the offence and informed/reminded of the COVID-19 'lock down' requirements.

A warning/clearance has been entered and no further police action is required.

2. Enter Offence: 3518 or 7935

3. Follow other BAU Case Management Processes

4. Clear previous Health (Other) SIB NIA alert(s): Remember an alert is not required to notify other staff of a warning as the warning is visible in clearances.

5. Create clearance (offender identified)

6. File

Online Reports / Recording of Self-Isolation Breaches (SIBs)

Online Form

The screenshot shows a web form for reporting a COVID-19 L4 breach. The header is 'POLICE' with a dropdown arrow. Below it is the title 'COVID-19 L4 breach'. There is a small text block below the title, followed by a CAPTCHA section with the text 'CAPTCHA' and 'The text is repeated to ensure it is read correctly'. At the bottom of the form, there is a blue bar with the text 'New Zealand Government' and 'Safer Communities Together'.

Responsibilities

Service Group is responsible for:

1. Receiving the COVID-19 SIB online form
2. Entering a NIA Intelligence Noting using the following fields (copy and paste options):
 - Category: Intelligence Noting
 - Type: COVID-19 SIB
 - Reporting channel: 105 Online
 - Reference: Online Report
 - Scene Station: (Select appropriate from drop-down options)
 - Reporting Station: (Select appropriate from drop-down options)
 - Subject: 105 Online Report of SIB
 - Description: COVID-19 Self-Isolation Breach for District tasking and coordination.
 - **Noting Narrative:** Copy and paste the information from the 105 online form into the narrative (unedited).
 - Source reliability: F – Reliability Unknown
 - Information reliability: Truth Cannot Be Judged
 - **Link the informant to the noting**
 - **Link identified suspects and vehicles to the noting**

District is responsible for:

3. Tasking staff to complete follow-up visits if resource permits
 - Staff tasked to follow-up should follow the *Frontline Recording of Self Isolation Breaches Case Management* practices for:
 - Educational contacts
 - Warnings, Supported Resolution and Prosecutions
 - I.e. if treated as an educational contact, update the noting and add the appropriate alert(s). If further action is required (warning/prosecution), create a 3518 or 7935 offence and record the clearance.

105 / CRL / SSOs / Crimestoppers Reports

105/CRL/SSOs responsible for:

Follow the 105 online reports process i.e. enter the information as a COVID-19 SIB NIA noting.

Note for Districts:

All Crimestoppers SIB reports will be channelled through the COVID-19 SIB NIA noting.

Resources

- [COVID-19 L4 breach \(SIB\) Process Map](#)

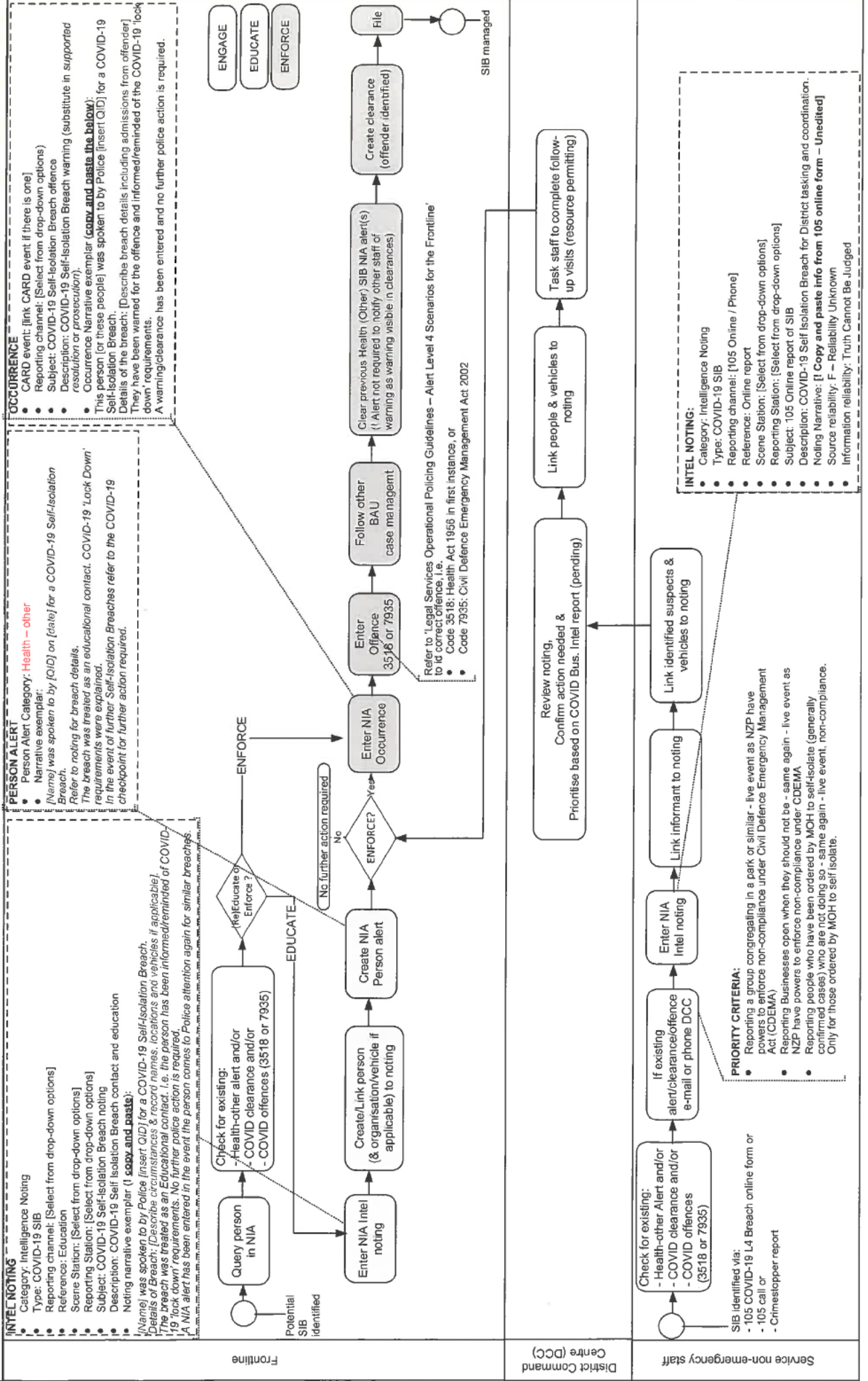
Staff should consider their Health and Safety

This remains a fluid situation, for the latest information and advice on Health and Safety requirements please check our [Ten One intranet page](#).



Unite
against
COVID-19

Ngā Pūhanga o Aotearoa



Attending a known COVID-19 address

This remains a fluid situation, for the latest information and advice please check our [Ten One intranet page](#).

A process is in place for the Ministry of Health to notify Police of confirmed COVID-19 cases. Police may also become aware of an address where people are suspected of having COVID-19 but have not yet been formally diagnosed.

If Police need to attend an address where COVID-19 is either confirmed or reasonably likely, follow the guidance below.

Notification process

- Confirmed COVID-19 cases will have a Comms Centre special alert attached to the address.
- The Comms dispatcher will advise the local District Command Centre and also advise the deployed unit to contact their District Command Centre prior to deploying to the address.
- The Comms shift commander and District Command Centre will discuss whether attendance is necessary, or an alternative means of Police contact would be more appropriate in the circumstances of the request for service such as phone, Facetime or WEBEX.
- The deployed unit will then contact (via mobility device – **DO NOT USE RADIO**) their local District Command Centre where they will receive any additional information required and directions on the appropriate Health and Safety protocols.
- **Police staff should not deploy to any call for service to a COVID-19 special alert address without contact being made with the District Command Centre first.**

Attending the address

- Staff should check their vehicles are stocked with the appropriate PPE prior to starting their shifts and prior going to the address. [Refer to the PPE Guidelines for guidance on putting on and taking off masks](#).
- Prior to attending the address, staff should assess what activity they will likely be carrying out. Police staff will continue to utilise TENR as their primary risk management tool to determine their appropriate actions at the address upon arrival.
- Avoid entering the address and maintain your distance from the occupants if possible. If this is not possible, apply the correct level of PPE.
- The attending officers are to ensure they are following the recommended procedures for the use of Personal Protective Equipment (PPE) as per the [PPE Guidelines](#).
- If you have to be in close contact with someone who is actively unwell, ask them to put on a surgical mask to minimise the spread of droplets in the air from the person coughing or sneezing.
- If attending the address due to a notification of non-compliance with self-isolation, seek advice from Regional Public Health and the local Medical Officer of Health. Be aware – Police cannot detain a person for non-compliance unless directed to do so by a properly authorised Medical Officer of Health. More information is available on the Checkpoint mobility app in the Operational section.

Taking a suspected COVID-19 case into custody

- In the event a known or suspected COVID-19 patient has to be removed from the address and taken into custody, try and get the person to put on a surgical mask prior to getting into the car.
- If the person is taken into custody and it is believed they could be infected by COVID-19 a surgical mask should be applied. (Section 9(2)(g) Official Information Act 1982
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- Officers may have to continue to wear full PPE during the drive to the custody unit.
- Alert the custody unit of the situation prior to your arrival so they can prepare.
- Once the detainee has been handed over to custody, isolate the transporting vehicle and follow the [COVID-19 Cleaning Protocol available on Ten One](#).

Before leaving the address

- Unless transporting a COVID-19 patient, all PPE (such as masks and gloves) must be removed and placed into a rubbish bag prior to getting into the car. [See the PPE Guidelines for guidance on removing masks](#).
- After removing PPE, apply hand sanitiser. Avoid touching your face until after sanitising your hands. (Protective goggles can be sterilised/cleaned and reused)
- The rubbish bag should be sealed, and disposed of upon arriving back at the station. Stations should have a process in place for disposing of this waste appropriately.
- Once back at the station, or at your first opportunity, wash hands thoroughly with soap and warm water and dry thoroughly.

Essential Businesses

A number of questions have been raised about essential services (businesses) and how staff employed by them are identified as they move around while the lock down is in place.

A comprehensive list of the types of businesses that are defined as essential are included on the [COVID-19 government website](#).

A common sense approach to identifying staff who are working in an essential business is required. Many people have business ID cards which could be used as identification. Some employers who do not have ID cards, have provided their staff with letters of employment. If these are not available, simple enquires, for example via telephone may be an option.

There is no standard ID card for staff employed in essential services (businesses).

There is a 4 step process for dealing with non-compliance:

1. Education
2. Warnings
3. Arrest and detention
4. Arrest, detention and prosecution

For comprehensive information refer to the [COVID-19 government website](#).

If you have any queries around essential services (businesses), you can get in touch with the

Section 9(2)(a) Official Information Act 1982

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Assistance to Health Officials

The Minister of Health has authorised the use of special powers to prevent the spread of COVID – 19 in NZ. Persons who do not comply with the expectation to self-isolate may be the subject of a direction under section 70 of the Health Act to go into self-isolation, or they may be quarantined, by force if necessary.

It is an offence to hinder a Medical Officer of Health in the exercise of powers or functions under section 70 of the Health Act (s.72) or to hinder a constable acting to assist a Medical Officer of Health (section 71A refers).

Guidance about what self-isolation means is available on [Ten One](#) and the [Ministry's website](#).

Police response overview

The following process should be followed when Police are contacted about a person not self-isolating (or subject to quarantine or other enforcement action):

All reports regarding Alert Level 4 breaches should be reported in the online form accessible from <https://www.police.govt.nz/105support>

Police will then be advised of possible non-compliance with self-isolation

Currently, only the Director of Public Health or one of two Deputy Directors of Public Health (or another person authorised for this purpose) undertakes assessment of risk that individuals in question pose to public health.

Director of Public Health or Deputy Director of Public Health (or another person authorised for this purpose) determines actions to be taken pursuant to s 70 of the Health Act.

Where necessary, the Director of Public Health or Deputy Director of Public Health (or another person authorised for this purpose) requests Police to undertake specific task.

Urgent requests for Police assistance under this process will be made to Police through the Major Operations Centre at Police National Headquarters. Director of Public Health or Deputy Director of Public Health (or another person authorised for this purpose) verification details include name and official email address.

Police officers are to compel individuals to comply with requirements under s.70 only as expressly requested by the Director of Public Health or Deputy Director of Public Health (or another person authorised for this purpose).

S.71A provides authority for Police to act, using reasonable force if necessary to ensure compliance with requirements requested as above.

NB: The NHCC works during business hours.

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Vehicle regulation changes during COVID-19

There are important changes to procedures in dealing with vehicle regulations. All the changes above are authorised through the Land Transport Rule: COVID-19 Response (No 1) 2020 (the Rule) and the Land Transport (Motor Vehicle Registration and Licensing) (COVID-19 – Extension of Duration of Motor Vehicle Licences) Amendment Regulations 2020 (the Amendment Regulations).

Details of the changes are below. For further information on travel at all alert levels see the Ministry of Transport's [COVID-19 transport information page](#). For FAQs on WoF or CoF changes visit the [NZ Transport Agency vehicle inspections FAQ page](#). For FAQs on licence changes visit the [NZ Transport Agency licensing FAQ page](#).

Driver licence changes

From 10 April, all driver licences that expired on or after 1 January 2020 will now be deemed valid for a period of up to 6 months.

COF and WOF update on changes

From 10 April, all Warrant of Fitness or Certificate of Fitness that expired on or after 1 January 2020 will be deemed valid for a period of up to 6 months.

This does not mean motorists are permitted to drive an unsafe vehicle; Police can write a vehicle off the road if it is deemed unsafe.

Licence endorsements

License endorsements that expire on or after 1 March 2020 will be extended for a period of up to 6 months.

The 1 March 2020 eligibility date for expired driver endorsements recognises that endorsement holders have to meet additional requirements (eg pass Police vetted 'fit and proper person' checks). In some instances, endorsements may not have been renewed due to a person's inability to meet the required threshold, and could therefore pose public safety risks.

Vehicle licences (registrations)

The requirement to display a current and valid vehicle licence (rego) is temporarily suspended if it expired on or after 1 January 2020. However, drivers are still encouraged to licence their vehicle online where possible.

Timing on these changes

The six month duration for the validity/extensions is to enable a smooth transition back to full compliance after alert level changes. However, NZTA can change this to earlier than six months for when expired documents would need to be renewed. NZTA will notify document holders and NZ Police once it has set a timeline.

Vehicle repairs for the public

The public are now able to have essential repairs undertaken such as punctured tyres or damaged windscreens, to keep vehicles safe and operational so people access essential services.

Questions and answers

What if I encounter a member of the public driving on a suspended or disqualified licence?

If a person is on a suspended or disqualified licence they should not be driving. However, Police understands that people need to be able to get essential supplies during this time. And if there is truly no other person who can get essentials supplies for a disqualified driver and you believe their intent, then we have discretion in how we deal with matters on a case by case basis.

What do I do if I pull someone over and believe their vehicle is unsafe?

If you deem the vehicle is unsafe, you can order it off the road regardless of the fact an expired WoF is now deemed as current.

What if that car is the person's only way of accessing essential services for their family?

We trust you to make decisions based on your consideration of safety, necessity (or not) for travel, and all the information in front of you.

Staff Actions

Police will continue to ensure that all vehicles and drivers stopped during this WoF/CoF 'exemption' period are safe. Where a vehicle is found to be unsafe or defective, staff will continue to use Pink and Green stickers to remove vehicles from the road.

You can view the supporting information on CoF and WoF TWIRLS to support you in assessing the safety of the vehicle.

If the vehicle is carrying essential goods or essential workers, staff should consider alternative actions to mitigate the impacts ensuring on-road safety.

Tow trucks as essential Service Vehicles

Recovery and towing services are classified as essential vehicles while they are being used to transport other vehicles.

This includes tow and stow services for Police and for vehicle inspectors for the purpose of vehicle seizures under [s123 of the Land Transport Act 1998](#), including storage and release of vehicles impounded on behalf of police

It also includes towing services for the public whose vehicle broke down while being used to access essential services.

Please note: the towing service will be classified as essential **ONLY while carrying out these particular jobs.**

Unmoveable vehicles

There are certain times when Police must confiscate a vehicle. You may find some tow operators are reluctant to carry out vehicle recovery as it could expose their drivers to risk during the COVID-19 outbreak.

If there is no tow service available, please use your judgment, be practical, and if it poses no genuine and immediate threat to human life, leaving the car on the side of the road may be the best option.

If you have questions on any of the above, please email NRPC@police.govt.nz. Or if your query is CVST related please email CVST.COVID19@police.govt.nz.